



West Virginia Senate

Committee on the Judiciary

Minutes for FEBRUARY 16, 2021, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 16, 2021, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Grady, Karnes, Maynard, Phillips, Rucker, Smith, Stover, Takubo, Woodrum, Beach, Caputo, Lindsay, Romano, Woelfel

Members absent: None

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

S. B. 275 - Relating generally to WV Appellate Reorganization Act of 2021.

Liz Shindzielorz, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, James A. Dodrill, West Virginia Insurance Commissioner, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Sheryl Webb, Director, West Virginia Division of Personnel, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Rebecca Roush, former Chief Administrative Law Judge, Workers' Compensation, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Sue Racer Troy, Chief Financial Officers, Supreme Court of Appeals of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Edythe Nash Gaiser, Clerk of Court, Supreme Court of Appeals of West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Anthony Majestro, West Virginia Association for Justice, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Danielle Waltz, United States Chamber of Commerce, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Michael Nissim-Sabat, Mountain State Justice, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Grady, the committee amended the committee substitute on page 35, section 11a, subsection (n), that Office of Judges employees and Administrative Law Judges receive hiring preference for new positions on the Board of Review.

Senator Romano moved to amend the committee substitute by striking all provisions eliminating the Workers' Compensation Office of Administrative Law Judges.

The amendment was put and the Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 7 in favor and 8 opposed, the amendment was rejected.

On motion of Senator Karnes, the committee amended the committee substitute in section 8, by striking "10-year" and inserting "12-year" on page 57 line 10, page 58 line 31, and page 59 line 41 and also striking "six-year" and inserting "eight-year" on page 58 line 31.

On motion of Senator Weld, the committee agreed to the committee substitute, as amended.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass, but first be referred to the Committee on Finance.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump IV
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 16th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

James Dodrill

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



Remote/Virtual Testimony

Testimony taken this 16th day of February, 2020, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Sheryl Webb

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Testimony taken this 16th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Rebecca Roush

Print Witness Name

Rebecca A. Roush

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 11th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Sue Troy

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 16th day of February, 20 21, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Edythe Nash Gaiser

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



Testimony taken this 16th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Anthony McGee
Print Witness Name

[Signature]
Sign Witness Name

Oath was administered by:

Charles S. Trump
Print Member Name

Charles S. Trump
Sign Member Name

The Senate of West Virginia



Testimony taken this 16th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

D. Mellewaltz

Print Witness Name

D. Mellewaltz

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



Remote/Virtual Testimony

Testimony taken this 16th day of February, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Michael Nissim-Sabat

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name